

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 SSO-00 NSCE-00 USIE-00 INRE-00  
CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03 NSAE-00 NSC-05  
PA-01 PRS-01 SP-02 SS-15 ACDA-07 IO-13 ACDE-00 /072 W  
-----061736Z 094013 /43

O R 061703Z JAN 77  
FM USMISSION USBERLIN  
TO SECSTATE WASHDC NIACT IMMEDIATE 3754  
AMEMBASSY BONN NIACT IMMEDIATE  
INFO AMEMBASSY BERLIN  
AMEMBASSY LONDON  
AMEMBASSY MOSCOW  
AMEMBASSY PARIS  
USMISSION NATO

C O N F I D E N T I A L USBERLIN 0054

E O 11652: GDS  
TAGS: PFOR, PGOV, WB, GW, UR  
SUBJ: APPARENT FURTHER GDR MEASURE TO CHANGE STATUS OF EAST  
BERLIN

1. SUMMARY: WE HAVE CONFIRMED DEVELOPMENT  
THAT APPEARS TO ADD A FURTHER DIMENSION TO GDR  
STEPS TO ALTER STATUS OF EAST BERLIN. LEGAL GAZETTE  
FOR "GROSS-BERLIN" IN WHICH ADOPTION OF GDR LAWS BY  
EAST BERLIN MAGISTRAT IS RECORDED HAS NOT APPEARED  
FOR NEARLY FOUR MONTHS ALTHOUGH VOLKSKAMMER HAS PASSED  
NUMBER OF LAWS IN THIS INTERVAL. GAZETTE NORMALLY  
APPEARS EVERY FORTNIGHT, AND THERE IS NO PRECEDENT  
FOR SUCH A GAP. GDR THUS APPEARS TO BE ATTEMPTING  
TO DO AWAY WITH PROCEDURE WHICH, AS APARALLEL TO  
MANTELGESETZ PROCEDURE PURSUANT TO WHICH FRG LAWS  
ARE ADOPTED IN WEST BERLIN HAS BEEN ONE OF MAJOR  
REMAINING DISTINCTIONS THAT GIVE TANGIBLE  
DEMONSTRATION OF SPECIAL STATUS OF EAST BERLIN.  
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END SUMMARY.

2. OUR ATTENTION WAS DRAWN TO THIS MATTER FOR FIRST  
TIME BY REPORT FROM ZDF CORRESPONDENT ON TELEVISION  
JANUARY 5 THAT "VERORDNUNGSBLATT FUER GROSS-BERLIN"  
HAD NOT APPEARED FOR SEVERAL MONTHS. RESEARCH  
JANUARY 6 CONFIRMED THAT LAST ISSUE OF GAZETTE WAS

SEPTEMBER 20. NEW VOLKSKAMMER ELECTIONS WERE OF COURSE HELD IN OCTOBER. PREVIOUS ELECTIONS HAVE NOT, HOWEVER, PRODUCED ANY GAP IN ISSUANCE OF GAZETTE. ZDF REPORT WAS FIRST PUBLIC NOTICE OF THIS FACT, BUT WE ARE ADVISED THAT INNER-GERMAN MINISTRY OFFICIALS NOTED NON-APPEARANCE IN LATE FULL AND RAISED SUBJECT WITH FRG PERMANENT REPRESENTATION IN EAST BERLIN. PERMANENT REPRESENTATION INQUIRED OF GDR POSTAL AUTHORITIES WHY COPIES NOT RECENTLY RECEIVED AND WERE TOLD THAT GAZETTE IS "AT PRESENT NOT DELIVERABLE." VIEW OF MINISTRY OF INNER-GERMAN AFFAIRS EXPERT IS THAT GDR IS TESTING WATERS, WAITING TO SEE HOW ALLIES RESPOND TO NON-APPEARANCE OF GAZETTE AND TO VISA AND OTHER MEASURES UNDERTAKEN AT BEGINNING OF YEAR. IF ALLIED RESPONSE IS STRONG, GDR COULD RESUME PUBLICATION AND PRETEND THAT THERE HAD ONLY BEEN TECHNICAL DELAY. IF ALLIED REACTION IS INSUFFICIENT, GAZETTE MIGHT EVENTUALLY COME OUT MINUS SECTION FOR ADOPTION OF GDR LAWS OR NEW GAZETTE "FOR BERLIN, CAPITAL OF GDR" MIGHT BE INSTITUTED WHICH WOULD OF COURSE DEAL WITH ROUTINE CITY ORDINANCES, NOT GDR LAWS.

3. THIS ANALYSIS STRIKES US AS SOUND. WE WOULD EXPECT THAT CONSIDERABLE PUBLIC ATTENTION WILL FOCUS ON ISSUE NOW THAT ZDF HAS BROKEN STORY. THIS MANTELGESETZ PROCEDURE HAS, WITH FACT THAT EAST BERLIN REPS TO VOLKSKAMMER ARE SELECTED INDIRECTLY RATHER THAN ELECTED, LONG BEEN ONE OF MAJOR INDICIA WHICH WE CONFIDENTIAL

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COULD CITY TO SHOW THAT EAST BERLIN RETAINED SPECIAL STATUS. WE BELIEVE THAT IT WOULD BE HIGHLY DESIRABLE TO INCLUDE IN OUR DEMARCHE TO SOVIETS THAT WE HAVE NOTED WITH CONCERN NON-APPEARANCE FOR NEARLY FOUR MONTHS OF THIS GAZETTE. THIS COULD BE ORAL COMMENT SO THAT TIME NEED NOT BE LOST WORKING IT INTO MORE FORMAL PROTEST STATEMENT.

4. FOR BACKGROUND, FOLLOWING IS FORMULA USED IN GAZETTE:

BEGIN TEXT:

TAKE-OVER OF LEGAL PROVISIONS

THE FOLLOWING LEGAL REGULATIONS PUBLISHED IN THE LEGAL GAZETTE OF THE GERMAN DEMOCRATIC REPUBLIC ARE VALID FOR THE CAPITAL OF THE GDR, BERLIN: (LIST OF DOZEN OR SO LAWS AND ORDINANCES PASSED BY VOLKSKAMMER IN PREVIOUS WEEKS WITH PAGE CITATION TO GDR GAZETTE.)

BERLIN (DATE)  
MAGISTRAT OF GROSS-BERLIN  
OBERBURGERMEISTER  
(KRACK)

DAVIS

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** REPORTS, PUBLICATIONS, LAW  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
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**Subject:** APPARENT FURTHER GDR MEASURE TO CHANGE STATUS OF EAST BERLIN  
**TAGS:** PFOR, PGOV, WB, GE, UR  
**To:** STATE BONN  
**Type:** TE  
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**Review Markings:**  
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